



SYNOPSIS

House Bills and Joint Resolutions 2013 Maryland General Assembly Session

**January 30, 2013
Schedule 13**

PLEASE NOTE: February 8 – Bill introduction deadline.
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 7.
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

HOUSE BILLS INTRODUCED JANUARY 30, 2013

HB 473 Delegates Simmons and Kramer

TRUTH IN SENTENCING TASK FORCE

Establishing a Truth in Sentencing Task Force; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; requiring the Governor to appoint the chair of the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member of the Task Force to receive reimbursement for specified expenses; requiring the Task Force to report findings and recommendations to the General Assembly on or before December 31, 2013; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Judiciary

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

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HB 474 Delegate Reznik, et al**HEALTH OCCUPATIONS – MARYLAND BEHAVIOR ANALYSTS ACT**

Establishing the Behavior Analyst Advisory Committee within the State Board of Examiners of Psychologists; requiring the Board to adopt regulations and a code of ethics; requiring the Board to set fees for services provided by the Board to behavior analysts; providing for the composition, appointment, and terms of the Committee members; establishing powers and duties of the Committee; requiring specified persons to be licensed by the Board before performing specified work in the State, except under specified circumstances; etc.

EFFECTIVE JULY 1, 2013

HO, §§ 18-4A-01 through 18-4A-32 and SG, § 8-403(b)(9) - added

Assigned to: Health and Government Operations

HB 475 Chair, Ways and Means Committee (By Request – Departmental – Public School Labor Relations Board)**PUBLIC SCHOOL LABOR RELATIONS – RENEGOTIATION PROCEDURES AND BOARD ADMINISTRATION**

Authorizing a public school employer and an employee organization to use an alternative procedure regarding the renegotiation of allocated funds under specified circumstances; providing that, in connection with the Public School Labor Relations Board's administration of specified subtitles, references to written communications include electronic communications, time limits may be extended for good cause, and venues for judicial proceedings involving Board action shall be in a specified county; etc.

EFFECTIVE OCTOBER 1, 2013

ED, §§ 6-401(b-1) and 6-501(c-1) - added and §§ 6-408.1, 6-511, 6-805, and 6-806 - amended

Assigned to: Ways and Means

HB 476 Delegate Simmons**CRIMINAL PROCEDURE – ALIEN DEFENDANTS – NULLITY OF BAIL BONDS**

Providing that, if a defendant who has posted a bail bond is taken into custody by a specified agency of the federal government because of the defendant's immigration status, the bond shall be null and void; providing that any bond that becomes null and void under the Act shall be returned to the surety and the surety shall have no liability with respect to the bond; etc.

EFFECTIVE OCTOBER 1, 2013

CP, § 5-206.1 - added

Assigned to: Judiciary

HB 477 Delegate Simmons**FIREARMS – CONVICTION FOR CRIME OF VIOLENCE – PROBATION BEFORE JUDGMENT**

Defining “convicted of a crime of violence” and “convicted of a disqualifying crime” to include probation before judgment for crimes of violence for the purpose of specified provisions of law that limit a person's right to possess a firearm or obtain a regulated firearm dealer's license based on prior convictions; and providing that the definitions of “convicted of a crime of violence” and “convicted of a disqualifying crime” do not include probation before judgment for assault in the second degree.

EFFECTIVE OCTOBER 1, 2013

PS, § 5-101(b-1) and (b-2) - added

Assigned to: Judiciary

HB 478 Delegate Simmons**CRIMES – COMMITTING A CRIME OF VIOLENCE IN THE PRESENCE OF A MINOR – PENALTIES**

Prohibiting a person from committing a specified crime of violence when the person knows or reasonably should know that a minor is present in a residence; establishing specified circumstances under which a minor is present; establishing an enhanced penalty not exceeding 5 years for a violation of the Act; authorizing a court to impose an enhanced penalty if the State's Attorney provides a specified written notice to the defendant and if specified elements have been proven beyond a reasonable doubt; etc.

EFFECTIVE OCTOBER 1, 2013

CR, § 3-601.1 - added

Assigned to: Judiciary

HB 479 Delegate Rosenberg**LABOR AND EMPLOYMENT – PAYMENT OF WAGES**

Requiring employers that pay employees at least once in every two weeks or twice in each month to pay the regular full wages to the employees on all paydays that fall within any given year.

EFFECTIVE OCTOBER 1, 2013

LE, § 3-502(a) - amended

Assigned to: Economic Matters

HB 480 Delegate Stukes, et al**CRIMINAL PROCEDURE – EXPLANATION OF EXPUNGEMENT PROVISIONS RELATING TO PROPOSED DISPOSITION OF CHARGE**

Altering a provision of law relating to the expungement of criminal records so as to require a court, before disposing of a charge against a defendant, to provide a detailed explanation to the defendant of specified expungement provisions; and requiring the court, after providing the explanation, to give the defendant the opportunity to reject a disposition of probation before judgment, nolle prosequi, plea of guilty, or stet.

EFFECTIVE OCTOBER 1, 2013

CP, § 6-232 - amended

Assigned to: Judiciary

HB 481 Delegate Tarrant, et al**EARLY VOTING CENTERS – LEGISLATIVE DISTRICTS**

Requiring each county to establish one early voting center in each General Assembly legislative district in the county.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2013

EL, § 10-301.1 - amended

Assigned to: Ways and Means

HB 482 Delegate Vitale, et al**CRIMINAL LAW – SYNTHETIC CANNABINOIDS – LABELING**

Listing synthetic cannabinoids on Schedule I to designate controlled dangerous substances that may not be legally used, possessed, or distributed; prohibiting a person from selling, purchasing, or possessing an herbal or botanical product containing a synthetic substance substantially similar to synthetic cannabinoids, unless the chemical structure of each synthetic substance contained in the product and the date of manufacture of the product is identified on the label of the product; establishing criminal penalties; etc.

EFFECTIVE OCTOBER 1, 2013

CR, §§ 5-101(ee) and 5-618.1 - added and § 5-402(d) - amended

Assigned to: Judiciary

HB 483 Delegate Vitale, et al**CRIMINAL LAW – CONTROLLED DANGEROUS SUBSTANCES – “N-BOMB”**

Adding specified types of a synthetic drug to Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed.

EFFECTIVE OCTOBER 1, 2013

CR, § 5-402(d) - amended

Assigned to: Judiciary

HB 484 Delegate Bobo**MARYLAND OPEN MEETINGS ACT – ENFORCEMENT AUTHORITY**

Authorizing the Attorney General or a local State’s Attorney, on the initiative of the Attorney General or a local State’s Attorney or on receipt of a verified complaint from a person that a public body has failed or may fail to comply with specified provisions of the Open Meetings Act, to file a petition with a circuit court that has venue and ask for a specified remedy.

EFFECTIVE OCTOBER 1, 2013

SG, § 10-510 - amended

Assigned to: Health and Government Operations

HB 485 Delegate Bobo**OPEN MEETINGS ACT – APPLICATION OF PENALTIES**

Applying specified penalty provisions to a member of a public body who attends a meeting of the public body that is held in violation of the Open Meetings Act; and providing that specified penalties do not apply to specified members of public bodies under specified circumstances.

EFFECTIVE OCTOBER 1, 2013

SG, § 10-511 - amended

Assigned to: Health and Government Operations

HB 486 Delegate Reznik, et al**CRIMINAL LAW – GAMING – HOME GAMES**

Allowing a person to conduct a home game, which is a game of chance or skill involving wagering that is conducted in a person's home and allows a player to compete directly against one or more players; prohibiting a home game from involving a player's use of an electronic device that connects to the Internet; and prohibiting a person from benefiting financially in any way, directly or indirectly, other than from the winnings accrued by participating as a player in a home game.

EFFECTIVE OCTOBER 1, 2013

CR, §§ 12-102(a) and 13-203 - amended

Assigned to: Ways and Means

HB 487 Delegate Niemann**CRIMES – GAMING AND LOTTERY DEVICES AND SLOT MACHINES – PENALTIES**

Increasing specified penalties for violations relating to gaming devices, lottery devices, lotteries, and slot machines to imprisonment not exceeding 3 years, a fine not exceeding \$3,000, or both; etc.

EFFECTIVE OCTOBER 1, 2013

CR, §§ 12-104, 12-203 through 12-205, and 12-302 - amended

Assigned to: Ways and Means

HB 488 Frederick County Delegation**FREDERICK COUNTY – SYNTHETIC CANNABINOIDS – PROHIBITION**

Prohibiting, in Frederick County, a person from using, manufacturing, possessing, or distributing synthetic cannabinoids; establishing criminal penalties for a violation of the Act; defining a term; and making the Act an emergency measure.

Preliminary analysis: local government mandate

EMERGENCY BILL

CR, § 5-629 - added

Assigned to: Judiciary

HB 489 Delegate Mitchell, et al**CRIMINAL LAW – THREAT AGAINST STATE OR LOCAL OFFICIAL – DEFINITIONS**

Making it a misdemeanor to knowingly and willfully make specified threats against a deputy State's Attorney or an assistant State's Attorney; and imposing penalties.

EFFECTIVE OCTOBER 1, 2013

CR, § 3-708 - amended

Assigned to: Judiciary

HB 490 Delegate Mitchell, et al**CRIMES – RESTRICTED FIREARM AMMUNITION – PROHIBITION ON POSSESSION AND USE**

Making it a misdemeanor to possess or use specified firearm ammunition during and in relation to the commission of a crime; and establishing penalties.

EFFECTIVE OCTOBER 1, 2013

CR, § 4-110 - added

Assigned to: Judiciary

HB 491 Delegate Otto**SOMERSET COUNTY – ALCOHOLIC BEVERAGES – SELLING NEAR SCHOOLS, PLACES OF WORSHIP, PUBLIC LIBRARIES, AND YOUTH CENTERS**

Making specified exceptions to the prohibition against the Somerset County Board of License Commissioners approving a license to sell alcoholic beverages to establishments located within 300 feet of a school, church or other place of worship, public library, or youth center.

EFFECTIVE OCTOBER 1, 2013

Art. 2B, § 9-220 - amended

Assigned to: Economic Matters

HB 492 Delegate Otto**EMPLOYEES' PENSION SYSTEM – SOMERSET COUNTY ECONOMIC DEVELOPMENT COMMISSION – ELIGIBLE GOVERNMENTAL UNIT**

Adding the Somerset County Economic Development Commission as an eligible governmental unit in the Employees' Pension System; providing that specified individuals are subject to the reformed contributory pension benefit in the Employees' Pension System in the same manner that an individual who was a member of the Employees' Pension System on June 30, 2011, and remains a member on July 1, 2011, may be subject to the reformed contributory pension benefit; etc.

EFFECTIVE JULY 1, 2013

SP, §§ 23-225, 31-102, 31-111, and 31-116.2 - amended and § 31-111.7 - added

Assigned to: Appropriations

HB 493 Delegate Luedtke, et al**REFERENDUM INTEGRITY ACT**

Requiring a petition signature page to contain a specified notification and be completed on a specified form; altering the information an individual must provide to sign a petition; establishing specified requirements for an online petition system; establishing specified requirements for petition circulators; requiring that a specified determination of whether a petition has a sufficient number of signatures be made in a specified manner; etc.

EFFECTIVE JUNE 1, 2013

EL, Various Sections - amended and §§ 13-245.1 and 13-310.1 - added

Assigned to: Ways and Means

HB 494 Delegate Griffith (Chair, Joint Committee on Pensions)**STATE RETIREMENT AND PENSION SYSTEM – EMPLOYMENT OF RETIREES – REQUIRED BREAK IN SERVICE**

Prohibiting specified retired members of the State Retirement and Pension System from being employed by specified employers within a specified period of time; deleting specified obsolete provisions; making specified clarifying changes; providing for the effective date of specified provisions of the Act; and providing for the termination of specified provisions of the Act.

EFFECTIVE JULY 1, 2013

SP, Various Sections - amended, repealed, and added

Assigned to: Appropriations

HB 495 Delegate Griffith (Chair, Joint Committee on Pensions)**STATE RETIREMENT AND PENSION SYSTEM – UNUSED SICK LEAVE CALCULATION – CLARIFICATION**

Clarifying the calculation used by the Board of Trustees for the State Retirement and Pension System to determine the amount of creditable service a member of the State Retirement and Pension System is eligible to receive for unused sick leave at retirement.

EFFECTIVE JULY 1, 2013

SP, § 20-206 - amended

Assigned to: Appropriations

HB 496 Delegate Griffith (Chair, Joint Committee on Pensions)**STATE RETIREMENT AND PENSION SYSTEM – FUNDING METHOD AND AMORTIZATION OF UNFUNDED LIABILITIES OR SURPLUSES**

Altering the amortization periods to be used for unfunded liabilities or surpluses of the State Retirement and Pension System; clarifying the application of a specified amortization period to specified changes; and phasing out a specified method for determining employer contribution rates for the employees' and teachers' retirement and pension systems.

EFFECTIVE JULY 1, 2013

SP, § 21-304(d), (e), and (f) - amended

Assigned to: Appropriations

HB 497 Delegate Braveboy**CONSUMER PROTECTION – SALES OF GOODS AND SERVICES – RECEIPT REQUIREMENTS**

Requiring merchants to provide to a consumer, at a specified time, a written receipt for a sale of consumer goods or services under specified circumstances; authorizing merchants to provide consumers with an electronic receipt in lieu of a written receipt for a sale of consumer goods or services under specified circumstances; and prohibiting merchants from charging consumers for a receipt for a sale of consumer goods or services.

EFFECTIVE OCTOBER 1, 2013

CL, § 13-320 - added

Assigned to: Economic Matters

HB 498 Delegate Braveboy**FINANCIAL INSTITUTIONS – AUTOMATED TELLER MACHINE CHECK DEPOSITS – MANDATORY REVIEW**

Requiring that each check deposited in an account through the use of an automated teller machine be reviewed within a specified period of time by an employee of the banking institution or credit union operating the automated teller machine to verify specified information.

EFFECTIVE OCTOBER 1, 2013

FI, §§ 5-303 and 6-504 - added

Assigned to: Economic Matters

HB 499 Delegate Glass, et al**NATURAL RESOURCES – DEER BOW HUNTING SEASON – END DATE**

Providing that the deer bow hunting season shall remain open until the Saturday following January 30.

EFFECTIVE OCTOBER 1, 2013

NR, § 10-405(a) - amended

Assigned to: Environmental Matters

HB 500 Delegate Glass, et al**VEHICLE LAWS – MOTORCYCLES – EXPIRATION OF LEARNER’S INSTRUCTIONAL PERMIT**

Altering the expiration date for a specified learner’s instructional permit for a motorcycle.

EFFECTIVE OCTOBER 1, 2013

TR, § 16-105(e) - amended

Assigned to: Environmental Matters

HB 501 Delegate Glass, et al**MOTOR VEHICLE ADMINISTRATION – MULTIPLE COPIES OF DRIVING RECORDS – FEES**

Prohibiting the Motor Vehicle Administration, when multiple copies of an individual’s driving record are requested simultaneously, from charging a fee exceeding a specified amount for each copy provided after the first copy.

EFFECTIVE OCTOBER 1, 2013

TR, § 12-113(a) - amended

Assigned to: Environmental Matters

HB 502 Delegate Glass, et al**OWNER OR OPERATOR OF LIVERY STABLE – LIEN ON DAIRY ANIMAL**

Granting an owner or operator of a livery stable or other establishment who gives care or custody to a dairy animal a lien on the dairy animal for a specified charge incurred for the milking of the dairy animal for the milk to be provided to a specified person.

EFFECTIVE OCTOBER 1, 2013

CL, § 16-401 - amended

Assigned to: Environmental Matters

HB 503 Delegate Proctor, et al**INCOME TAX – MILITARY RETIREMENT INCOME**

Increasing the maximum amount for a subtraction modification under the State income tax for military retirement income from \$5,000 to \$10,000 of military retirement income received; and applying the Act to taxable years beginning after December 31, 2014.

EFFECTIVE JULY 1, 2014

TG, § 10-207(q) - amended

Assigned to: Ways and Means

HB 504 Delegate Beitzel**GARRETT COUNTY – COUNTY COMMISSIONERS – INDUSTRIAL WIND ENERGY CONVERSION SYSTEMS**

Requiring that specified industrial wind energy conversion systems comply with specified setback requirements; authorizing specified variances under specified circumstances; requiring that, before a permit is issued for specified industrial wind energy conversion systems, the Garrett County Department of Planning and Land Development retain at the applicant's expense a specified professional engineer to prepare a specified cost estimate and require the applicant to post a specified bond; etc.

Preliminary analysis: local government mandate

EMERGENCY BILL

Art. 25, § 236G - added

Assigned to: Economic Matters

HB 505 Delegate Glass, et al**NATURAL RESOURCES – HUNTING AND FISHING LICENSE APPLICATIONS – SOCIAL SECURITY NUMBER**

Creating for hunting and fishing licenses issued by the Department of Natural Resources an exception to the requirement that a licensing authority require a license applicant to disclose the Social Security number of the applicant and record the Social Security number on the application; altering the information that a request for information from a hunting or fishing license application made by the Child Support Enforcement Administration is required to contain under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2013

FL, § 10-119.3 and NR, §§ 4-205(l), 4-604(e), 4-704(a), and 10-301(e) - amended

Assigned to: Environmental Matters

HB 506 Delegate Carr, et al**ENVIRONMENT – DENTAL MERCURY – WATER OR SEWERAGE SERVICE BILL INSERT**

Requiring specified water or sewerage service suppliers to include annually with the billing information sent to each customer a bill insert that provides specified information related to dental materials containing mercury; and requiring the Department of the Environment to adopt regulations to implement the Act.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2013

EN, § 6-908 - added

Assigned to: Environmental Matters

HB 507 Delegate Weir, et al**BALTIMORE COUNTY PUBLIC SCHOOLS – ENROLLMENT AND TRANSFER – PARENTAL DECISION**

Authorizing the parent or guardian of a student eligible for enrollment in specified grades in Baltimore County public schools to decide to apply to enroll the student in a public school other than the public school to which the student was assigned by the Baltimore County Board of Education, beginning in the 2014–2015 school year; requiring all public schools to be open to specified students on a space–available basis under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2013

ED, § 4-109 - amended and § 4-110 - added

Assigned to: Ways and Means

HB 508 Delegate Carr, et al**ENVIRONMENT – LOCAL STORMWATER MANAGEMENT CHARGES – STATE PROPERTY**

Providing a specified exception to an exemption from specified taxes, user charges, and utility fees relating to stormwater management for property owned by the State or a unit of State government; providing, with specified exceptions and under specified conditions, that property owned by the State or a unit of State government is subject to a specified stormwater management charge imposed by the governing body of the county or municipality within which the property is located; etc.

EFFECTIVE OCTOBER 1, 2013

Art. 24, § 24-406 and EN, §§ 4-204 and 4-205 - amended

Assigned to: Environmental Matters

HOUSE BILL REASSIGNED JANUARY 28, 2013**HB 215 Delegate Cane****NATURAL RESOURCES POLICE FORCE – NUMBER OF OFFICERS**

Stating the intent of the General Assembly that the Natural Resources Police Force employ at least 435 Natural Resources police officers by fiscal year 2023; authorizing under specified circumstances, beginning in fiscal year 2015 and continuing each subsequent year, the Natural Resources Police Force to increase the number of cadets and recruits enrolling in the Maryland Natural Resources Police Academy until a specified goal is met; etc.

EFFECTIVE JULY 1, 2013

NR, § 1-201.2 - added

Reassigned to: Environmental Matters and Appropriations